

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

| | | |
|------------------------------|---|------------|
| STELLA M. OJEDA, |) | |
| |) | |
| Plaintiff, |) | 4:08CV3067 |
| |) | |
| v. |) | |
| |) | |
| CITY OF SCOTTSBLUFF, a |) | ORDER |
| political subdivision of the |) | |
| State of Nebraska, |) | |
| SCOTTSBLUFF POLICE |) | |
| DEPARTMENT, CHIEF ALEX |) | |
| MORENO, SGT. PHIL ECKERBERG, |) | |
| SGT. SHAWN McFARLAND, SGT. |) | |
| PHIL MARTINDALE, CAPT. KEVIN |) | |
| SPENCER, sued in their |) | |
| individual and professional |) | |
| capacities, |) | |
| |) | |
| Defendants. |) | |
| |) | |

The parties have filed a Withdrawal of Motion to Strike and Stipulation, [filing 23](#).

IT IS ORDERED:

1. The withdrawal and stipulation is granted and Defendant's Motion to Strike, [filing 12](#), is withdrawn.

2. The stipulation is interpreted as a motion to amend plaintiff's complaint and plaintiff is given ten (10) days to file an amended complaint.

DATED July 30, 2008.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge